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TWO VETOES
ARE VETOED

(Continued From Page One.)

the steps of the Senate and pass both of these measures over the veto.

Senator Chillingworth came to the front again yesterday as the champion of the oil trust. The first bill introduced by him was so defective that amendments in sufficient number and strength could not be found to put it into shape so a new one has been drawn and sent to the Ways and Means committee, the same one that turned down the original bill. What action the committee will take on the new one is conjectural.

After routine business Senator Smith read a petition from a committee from the Associated Charities asking assistance. The petition was returned for endorsement.

Senator Coelho reported having had an item inserted in the appropriation bill.

Senator Smith reported as follow on House Bill No. 69:

The Judiciary committee reports further consideration of House Bill No. 69, entitled "An Act to amend Section 65 of the Revised Laws" relating to elections.

The bill as referred back by the committee was amended by inserting the whole of Section 65. But Section 1 read "The first paragraph of Section 65 of the Revised Laws of Hawaii is hereby amended so as to read as follows:" and then follows the whole section as amended. We now recommend that the words "The first paragraph of" at the beginning of Section 1 be stricken out so that that portion of Section 1 shall read "Section 1. Section 65 of the Revised Laws of Hawaii is hereby amended so as to read as follows:"

The report was laid on the table to be considered with the bill.

The same Senator reported on House Bill No. 72 as follows:

The Judiciary committee reports further consideration of House Bill No. 72, entitled "An Act to amend Section 213 of the Revised Laws of Hawaii."

In order to meet the objection raised in the debate upon the bill, that there was no provision made for the summoning of the jurant child to appear before the court, the committee recommends that the words "such child and" be inserted after the word "cause" in the fifth line of the printed bill, so that that portion of Section 213 shall read "Section 213. Penalty. If any child of school age shall persist in absenting himself or herself from school, any District Magistrate shall upon a proper complaint being made by the school teacher or any other officer or agent of the department, cause such child and the father or mother, guardian or other person having the charge of such child, to be summoned," etc.

This took the same course.

Senator Dowsett, from the Ways and Means committee, reported on the tobacco, cigarette and cigar license as follows:

Your Committee on Ways and Means, to which was referred House Bill No. 96, entitled "An Act to amend Section 149 of the Revised Laws of Hawaii, relating to licenses of tobacco, cigars and cigarettes," begs to report as follows:

The object of the amendment to Section 149 of the Revised Laws of Hawaii is to exempt the grower of tobacco from paying the license fee of \$10 upon the sale by him of tobacco or leaf tobacco, produced on his own land, other than to the consumer. The section thus amended will serve to aid the tobacco industry, which, though still in an experimental stage, promises well and in the opinion of your committee deserves encouragement.

Your committee also learns that the section as sought to be amended will conform with the Federal License Act as touching upon tobacco, and it therefore recommends the passage of the bill.

It was laid on the table to be considered with the bill.

The same Senator reported as follows on Senate Bill No. 56:

RECOMMENDS PASSAGE.

Your Committee on Ways and Means, to which was referred Senate Bill No. 56, entitled "An Act providing for refunding Bonded Indebtedness of the Territory of Hawaii," begs to report as follows:

The objects of the bill are to authorize the Treasurer of the Territory, with the approval of the Governor, to issue refunding bonds of the Territory of Hawaii, bearing interest at a rate in no case, however, to exceed that provided for in the bonds to be refunded. Proper restrictions are placed upon the sale or exchange of such refunding bonds, and the proceeds therefrom, in the event of sale, must be applied solely to the payment of the bonds to be refunded. If exchanged, such refunding bonds may be exchanged at not less than par value for an equal amount at not more than par value of the bonds to be refunded.

The passage of this Act would place the Territory in a position to take advantage of any opportunity offering to borrow money on more advantageous terms than is now the case, by the issuance of refunding bonds and calling in an equal amount of its bonds as may be redeemable at the time. In no case can bonds under the Act be sold at less than their nominal par value.

Furthermore, the passage of this Act would enable the Treasurer to issue refunding bonds for sale or exchange, in such amounts as would be necessary to meet any of the bond issues at their maturity. The latter of no small moment to the Territory were payment of such bonds demanded when due, and no funds available to meet such demand.

Your committee therefore recommends the passage of the bill.

Senator Dowsett then gave notice of his intention to introduce a bill for the appropriation of money for the use of the departments during the biennial period.

Senator Chillingworth gave notice of his intention to introduce a bill appropriating the sum of \$17,000 for the repair of roads in Palolo valley.

The consideration of the messages of the Governor vetoing certain bills was then begun. Senator Smith moved that the bills pass. He said the veto power was, perhaps, a good one when judiciously used. Supporting the arguments he presented a statement compiled from data contained in Blaine's "Twenty Years in Congress."

He quoted instances of vetoes in the official lives of Presidents of the United States during eighty years of the life of that Government saying:

PRESIDENTS AND VETO POWER.

"The earlier Presidents, filled with the spirit of the convention that formed the Constitution, were extremely careful in the use of the veto-power. In eight years Washington used it but twice. Neither John Adams nor Thomas Jefferson used it even once. Madison resorted to it three times, Monroe only once, John Quincy Adams in not a single instance. Under the first six Presidents, the veto-power had been used but six times in all; unless there should be included some private bills sent back for correction and not in any sense furnishing matter of contest between parties. The country had thus been educated by the sages of the era of the Constitution in the belief that only an extraordinary occasion justified a resort to what, in the popular dislike of its character, had received the name of "the one-man power." President Jackson, therefore, surprised the country and shocked conservative citizens by his frequent employment of this great prerogative. During his term he thwarted the wish and the expressed resolve of Congress no less than eleven times on measures of great public consequences. Seven of these vetoes were of the kind which, during his presidency, received the name of "pocket-vetoes."

"Commenting with great power, at the time, upon the new use of the veto-power, in all its forms by President Jackson, Mr. Webster declared its tendency was 'to disturb the harmony which ought always to exist between Congress and the Executive, and to turn that which the Constitution intended only as an extraordinary remedy for extraordinary cases, into a common means of making Executive discretion paramount to the discretion of Congress in the enactment of laws.' It was literally making the extreme medicine of the Constitution its daily bread."

"An example set by so strong a ruler as Jackson, especially in the establishment of a practise so congenial to man's natural love of power, was certain to be followed by other Presidents. It was followed so vigorously indeed that the forty years succeeding Jackson's advent to power presented a strong contrast with the forty years which preceded it. The one began with Washington, the other ended with Andrew Johnson. Mr. Van Buren, though in all respects a lineal heir to the principles of Jackson, did not imitate him in the frequent use of the veto-power. But Mr. Tyler on nine different occasions ran counter to the action of Congress by the interposition of his veto. Mr. Polk resorted to it in three signal instances, but neither General Taylor nor Mr. Fillmore came in conflict with Congress on a single measure. President Pierce almost rivaled General Jackson in the ten vetoes with which he emphasized his own views as distinct from those of Congress. Mr. Buchanan used his arbitrary power on four occasions during his term. Mr. Lincoln permitted one bill to be defeated, as already noted in these pages, by the expiration of Congress, and arrested the passage of another by direct use of the veto. President Johnson, who in many features of his career has been suspected of an attempted imitation of Jackson, far surpassed his great prototype in the use of the veto-power, employing it directly in no less than twenty-two instances, besides pocketing at least two bills of public importance. The aggregate number of vetoes, therefore, in the forty years that followed General Jackson's first election exceeded fifty, as against six for the forty years preceding it."

This bit of history was followed by a reference to the bill which would give a married woman the right to deal with her separate property. In a way, the remarks made by the Senator were a mild roast of the Governor for his apparent abuse of the veto power.

Senator Dowsett agreed with the previous speaker in so far as abusing the veto power is concerned but he did not believe now, nor in committee, the measure advisable and for that reason he would support the veto.

Senator Chillingworth opposed the argument of Senator Dowsett and said the training the gentle sex is getting today fits them, not only to look after their own affairs but the business affairs of the husband. Years ago such a thing as a woman secretary in an office was unheard of while today there are hundreds. Instances in the city show that the management of a property by a widow has been more advantageous than by the husband during his life.

PASSED OVER VETO.

The bill passed over the Governor's veto by a vote of 11 to 4. Senators Gandall, McCarthy, Knudsen and Bishop voting no.

The second message was taken up for consideration.

Senator Coelho, father of the bill turning over the control of fire departments at Kahului, Wailuku and Maui, to the county, defended his claim for the passage of the bill. He said it appeared that under the veto the Governor was afraid of a couple of lengths of hose and a cart at Wailuku. The

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whole plant was not worth ten dollars. The people of Maui had talked over the matter and now suggest that the Territory take over the property as the county would raise the money for any material and appliances needed. He moved the passage of the bill over the veto.

Senator Smith supported Coelho, explaining the conditions under which the original law was made. He seconded the motion to pass the bill. On a vote the bill was passed over the veto by unanimous vote.

Senator Knudsen said the House had deferred action on the Saturday closing but, until Friday and he believed the Senate should take a similar course out of respect to the Representatives. Consideration deferred until Saturday.

Senator Bill 62 relating to repairs to road in Kau, destroyed by lava flow, was taken up and passed third reading, 19 to 2.

Senator Lane reported from the Committee on Printing that S. B. 59, 60, 61 were ready for distribution.

Senator Bill No. 72, providing \$3000 for furniture in Hilo High school passed third reading unanimously without debate.

House Bill 27 relating to sale of salt salmon passed third reading unanimously.

House Bill 37 relating to procedure in divorce cases in this Territory passed third reading.

Senator Bill No. 56 relating to bonds of deputy high sheriffs passed third reading.

The curfew bill was the recipient of a good deal of attention when it came up for third reading. Senator Hewitt said it would be an expense on the other counties to send children here to serve ten days in the reformatory school. The present law provides a fine for children under fourteen who are out after 9 p. m. The new law fixes the age at 15 and another hour, 7 o'clock. It was moved that "Reformatory school" be cut from the bill.

Senator Makekau said the bill was appropriately drawn for the protection of Kauai children, he would therefore move passage without amendment.

Senator Haystack opposed taking "Reformatory school" out as it would mean that children would be thrown in with criminals in county jails.

Senator Chillingworth explained conditions in station house and jail here and said it would be impossible to keep young children free from contamination if they were sent to either place. Senator Haystack said it would be a greater hardship on a child to put it in jail than to allow it a half hour at the park on a moonlight night listening to the music by the band.

The bill as introduced passed third reading.

Senator Bill No. 96 relative to the sale of tobacco and cigars passed second reading.

Senator Bill No. 56 relating to the redemption of the bonded debt of the Territory passed second reading.

Senator Lane reported Senate Bill 59 as ready for action. It was therefore referred to the Judiciary committee.

Senate Bill No. 60 relating to county funds was referred to the Ways and Means committee.

Senate Bill No. 61, the oil bill introduced by Senator Chillingworth, was brought up for reference and was sent to the Ways and Means committee.

Senate Bill No. 53 was deferred until afternoon and a recess was taken to 2 p. m.

Afternoon Session.

Senate Bill 29, relating to oil storage, was taken up and recommitted to the Ways and Means committee.

Senate Bill No. 58, called for second reading and passed.

Senate Bill No. 7, relating to marriage licenses, was read for the second time but the changes in the original bill were so radical that Senator Smith asked that it be printed.

Senator Chillingworth moved adoption of report.

Senator Makekau wanted action deferred until the members studied the bill.

Senator Dowsett seconded the motion at the same time remarking that a long report had been submitted by the Judiciary committee and not an objection offered nor a suggestion made.

Senator Coelho said the House would want copies and moved that the bill, as amended by the Ways and Means committee be printed. This motion carried.

House Bill No. 69, action on which was deferred at the morning session was called and passed third reading. It relates to the number of voting shelves or compartments, amending the present law to read "not less than three," be prepared in each polling place.

House Bill No. 12 relating to curfew was called for third reading and passed, the vote being 14 to 1.

Senate then adjourned.

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